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Filing date: **07/31/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92057122
Party	Plaintiff Neways, Inc.
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Submission	Withdrawal of Cancellation
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Signature	/Matthew A. Barlow/
Date	07/31/2014
Attachments	Stipulation for Voluntary Withdrawal of Cancellation_14564.127.1.pdf(18790 bytes )

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Trademark Registration No. 3,448,249

Mark: **NEW-WHEY**

Registered: June 17, 2008

-and-

Trademark Registration No. 4,214,663

For the Mark: **NEW WHEY NUTRITION**

Registered: September 25, 2012

-and-

Trademark Registration No. 4,172,454



For the Mark: **New Whey**  
Nutrition

Registered: July 10, 2012

NEWAYS, INC.,

Petitioner,

v.

NEW WHEY NUTRITION, LLC, f/k/a  
TOPSPIN-IDS ACQUISITION, LLC

Registrant.

Cancellation No. 92057122

**STIPULATION FOR VOLUNTARY  
WITHDRAWAL OF  
CANCELLATION WITHOUT  
PREJUDICE**

Pursuant to 37 C.F.R. §2.106(c), Petitioner, Neways, Inc., and Registrant, New Whey Nutrition, LLC, f/k/a Topspin-IDS Acquisition, LLC, having fully resolved this matter, desire to terminate the above captioned proceeding. Therefore, the parties hereby stipulate to the voluntary withdrawal by Neways, Inc. of the Cancellation without prejudice and to New

Whey's voluntary withdrawal of its counterclaim without prejudice. The parties hereby consent to the withdrawal of their respective claims without prejudice.

DATED this 31st day of July, 2014.

By: /Thomas R. Vuksinick/  
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ATTORNEYS FOR PETITIONER  
NEWAYS, INC.

DATED this 31st day of July, 2014.

By: /Peter M. Brody/  
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ATTORNEYS FOR REGISTRANT  
NEW WHEY NUTRITION, LLC, f/k/a  
TOPSPIN-IDS ACQUISITION, LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **STIPULATION FOR VOLUNTARY WITHDRAWAL OF CANCELLATION WITHOUT PREJUDICE** was served upon Registrant via email and U.S. Mail and is addressed to the counsel of record for Registrant:

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Dated this 31st day of July, 2014.

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